

## REMARKS

This amendment is responsive to the Office Action mailed on December 28, 2003 setting a three month shortened statutory period for response expiring on February 28, 2004. Claims 10-12 stand withdrawn and claims 1-9 and 13-15 stand rejected under 35 USC 102(b). Claims 10-12 have been canceled, claims 1 and 2 amended, and claims 16 and 17 added.

### Election/Restriction

In the Office Action, a previous election without traverse of group I claims 1-9 and 13-15 was made final. Therefore claims 10-12 are canceled in this amendment but are retained in the application pending the filing of a suitable divisional application to prosecute those claims.

### Claim Rejections

Claims 1, 2, 5-7, and 13 stand rejected under 35 USC 102(e) as anticipated by Liu et al. Independent claim 1 has been amended as set forth above to more clearly recite applicant's invention. Claim 1 now recites a data storage device that has a CPU **mounted** on the PCB rather than merely being connected to the PCB. This CPU runs an operating system. A memory in the assembly stores an application program that is run by the operating system in the CPU.

In contrast, Liu et al utilizes the motherboard CPU 2004 in a host computer to feed instructions to the disc drive. Liu et al states at column 8, lines 39-60, that the computer system 212 shown in FIG. 3 may include several devices such as 2012-2022 connected to the computer. These peripheral devices may include hard disc drives. Thus Liu et al does NOT disclose a disc drive having its own internal CPU. Rather, the Liu et al system disc drive controller merely performs instructions fed to it by a host computer CPU 2004.

The Liu et al system does not disclose a disc drive having an internal CPU running an operating system and does not disclose an application program resident in the disc drive memory. This combination is clearly not shown in Liu et al. Dependent claims 2 and 5-6 inherit the same limitations as claim 1. Accordingly the rejection of these claims should be withdrawn. Claim 7 specifically recites "a data storage device having a microprocessor, a memory storing an operating system operably connected to the microprocessor operable to execute application programs". It is respectfully submitted that, as discussed above, Liu et al does NOT disclose such a device. Rejection of this claim should be withdrawn.

Claim 13 is also rejected under 35 USC 102(e) as anticipated by Liu et al. Liu et al does NOT disclose a microprocessor in the data storage device that runs an operating system and runs

application programs. Liu et al also does not disclose the data storage device having a memory storing the operating system. Accordingly the examiner has not shown a prima facie case of anticipation and therefore this rejection should be withdrawn.

Claims 3-4, 8-9 and 14-15 stand rejected under 35 USC 103(a) as unpatentable over Liu et al in view of Gronemeyer et al. It is the examiner's assertion that Liu et al does not teach that the I/O module includes a network interface module operably to communicate to a node on the network using a hypertext transport protocol and a video interface module operable to drive a video monitor as claimed. While this is clearly true, Liu et al also does teach or suggest incorporating into the data storage device itself a CPU running an operating system and running application programs. Gronemeyer et al also does not disclose or suggest such a combination.

Figure 3, in fact, shows the computing device 302 as having one or more processors 306 utilizing an operating system 332, application programs 334 and data 336, and shows the computing device having a storage device 310 and a memory 308, but does not suggest that the storage device 310 have within it a memory and a CPU running an operating system running application programs as Applicant has claimed in independent claims 1, 7, and 13. Accordingly, Gronemeyer et al does not provide the missing elements and therefore cannot render Applicant's independent claims 1, 7 and 13 unpatentable either alone or in conjunction with Liu et al. Further, claims 3-4, 8-9 and 14-15 which depend from these independent claims are believed to be clearly patentable over this combination or any other combination of references cited.

New claims 16 and 17 have been added for consideration. Claims 1-9 and 13-17 now remain pending in the application. These claims are believed to be allowable over the art of record. In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this Application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Date

3/29/04

Customer No.: 23552

Respectfully submitted,

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